

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

FRACTUS, S.A.,

Plaintiff,

v.

AT&T MOBILITY LLC,

Defendant,

and

COMMSCOPE TECHNOLOGIES LLC  
and CELLMAX TECHNOLOGIES AB,

Intervenor-Defendants.

JURY TRIAL DEMANDED

Case No. 2:18-cv-00135-JRG  
LEAD CASE

**ORDER OF DISMISSAL WITH PREJUDICE**

CAME ON FOR CONSIDERATION, the Joint Motion to Dismiss with Prejudice filed by Plaintiff Fractus, S.A. (“Fractus”) and Defendant AT&T Mobility LLC (“AT&T”).

Having considered the motion, the Court finds that it should be and hereby is **GRANTED**. It is therefore **ORDERED** that all claims for relief brought by Fractus against Defendant AT&T, including without limitation all claims brought regarding infringement of U.S. Patent Nos. 6,937,191; 7,250,918; 7,557,768; 8,896,493; 9,905,940; 8,497,814; 8,754,824; 9,450,305; 8,228,256; and 7,932,870 (collectively, the “Patents-in-Suit”), together with any Counterpart<sup>1</sup> of the Patents-in-Suit that have been or could have

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<sup>1</sup> For purposes of this Order, Counterpart shall mean all patents and patent applications deriving from, claiming priority to or through, or sharing a common priority claim with any of the Patents-in-Suit; any patents issued or granted via any divisionals, continuations, continuations-in-part, reissues, or reexaminations of the Patents-in-Suit or of the foregoing patents and patent applications; and foreign counterparts of the Patents-in-Suit or of the foregoing patents and patent applications.

been asserted as a part of said case against AT&T, are **DISMISSED**. This dismissal is **WITH PREJUDICE** as to all products except those from Intervenor-Defendants, as to which the dismissal is **WITHOUT PREJUDICE**. All claims asserted against Intervenor-Defendants in the above-captioned case (no. 2:19-cv-00135-JRG) remain pending.

It is further **ORDERED** that all attorneys' fees, costs of court and expenses be borne by each Party incurring the same, with the exception of any fees and costs contemplated by the Court's Order dated June 19, 2019 (Dkt. No. 430 at 2), which shall be treated as set forth in that Order.